

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Servants – Irrigation and C.A.D. Department – Sri. Syed Shakeel-ur-Rahman, the then Deputy Executive Engineer and presently working as Incharge Executive Engineer, PJP Q.C. Division, Gadwal of P.J.P. Circle No. I, Gadwal, Mahaboobnagar district – Departmental action under Rule 20 of A.P. Civil Services (CC & A) Rules, 1991 – Initiated – Minor penalty of “one annual grade increment without cumulative effect”, and treat the entire period of unauthorized absence as Extra Ordinary Leave – Orders – Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (SER.IV) DEPARTMENT

G.O.Rt.No. 434

**Dated:18.05.2011.
Read the following:-**

- 1) From the Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad, letter Rc/ENC/VC2/29405/05, dated 29.09.2007.
- 2) Govt.Memo.No.29031/Ser.III(1)/2007-2, dated 07.11.2007.
- 3) Proceedings No.Rc/ENC/VC.2/29405/05, dated 09.05.2008 of Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad.
- 4) Sri Syed Shakeel-ur-Rahman, Deputy Executive Engineer, written statement of defence, dated 28.05.2008.
- 5) Memo.No.RC/ENC/VC.2/29405/05, dated 01.02.2010 of Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad.
- 6) From the Superintending Engineer, PJP Circle No.1, Gadwal, letter No.SE/PJP/AB/49/1, dated 01.04.2010 addressed to Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad.
- 7) From the Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad, letter No.Rc/ENC/VC2/29405/05-2, dated 29.06.2010.
- 8) Govt.Memo.No.34354/Ser.IV/A2/2007-6, dated 24.07.2010.
- 9) Memo.No.RC/ENC/VC2/29405/2005, dated 04.08.2010 of Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad.
- 10) From Sri Syed Shakeel-ur-Rahman, I/c. Executive Engineer representation, dated 12.10.2010.
- 11) From the Engineer-in-Chief (A.W.), Irrigation & CAD Department, Hyderabad, letter No.RC/ENC/VC2/29405/2005, dated 28.04.2011.

ORDER:-

In pursuance of the directions issued by the Government in the reference 2nd read above, the Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad initiated departmental action under rule 20 of A.P. Civil Services (CC & A) Rules, 1991 against Sri. Syed Shakeel-ur-Rahman, the then Deputy Executive Engineer for his unauthorized absence from duty from 07.10.2002 to 06.10.2005 and for taking employment abroad and articles of charges were framed in the reference 3rd read above. In the reference 4th read above, the charged officer has submitted his written statement of defence.

2. In the reference 5th read above, the Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad appointed the Superintending Engineer, PJP Circle No. I, Gadwal as Inquiry Officer to conduct into the charges framed against the charged officer. In the reference 6th read above, the Inquiry Officer has submitted his report and observed that the Deputy Executive Engineer has not obtained the specific permission from the Government before he undertaken employment abroad in terms of G.O.Ms.No.214, Finance & Planning (FW.FR.I) Department, dated 03.09.1996 and recommended that a lenient view may be taken against the above Deputy Executive Engineer, as the Deputy Executive

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Engineer has however applied for treatment of the entire period of absence as loss of pay in terms of G.O.Ms.No.214, Finance & Planning (FW.FR.I) Department, dated 03.09.1996, as a special case and also be cautioned more careful in future, whenever he applies to go on leave on abroad for taking employment or on other purpose. The findings of the Inquiring Authority have been examined and in the reference 9th read above, a copy of Inquiry Report was communicated to Sri. Syed Shakeel-ur-Rahman, Deputy Executive Engineer duly disagrees with the findings of the Inquiring Authority, directing to submit his explanation if any on the Inquiry Report and also on the following disagreement factors:-

- (i) As per G.O.Ms.No.214, Finance & Planning (FW.FR.I) Department, dated 03.09.1996, the Government servant should obtain specific permission from the Government before he undertakes any employment abroad, but the Deputy Executive Engineer failed to obtain specific permission from the Government before taking of employment in Civil Engineering in Ministry of Defence & Aviation in Kingdom of Saudi Arabia on 11.10.2002.
 - (ii) The Deputy Executive Engineer being a responsible officer of the department has to obtain prior sanction of leave from the competent authority before proceeding on leave. But, the Deputy Executive Engineer availed long leave of 3 years by simply submitting an application for sanction of E.O.L. from 07.10.2002 to 05.09.2005 without waiting for sanction of leave from the competent authority.
3. The charged officer has submitted his representation on 12.10.2010, among other things, stating that after return from the abroad he informed the department about the fact of getting employment abroad and requested to sanction him E.O.L. without any pay and allowances in terms of G.O.Ms.No.214, Finance & Planning (FW.FR.I) Department, dated 03.09.1996 and also he may be exonerated from the charges and sanction him E.O.L. 07.10.2002 to 06.10.2005.
4. Government, having regard to the facts of the case and explanation submitted by Sri. Syed Shakeel-ur-Rahman, the then Deputy Executive Engineer and presently working as Incharge Executive Engineer, PJP Q.C. Division, Gadwal, have decided and accordingly, hereby impose a minor penalty of "one annual grade increment without cumulative effect" on Sri. Syed Shakeel-ur-Rahman, the then Deputy Executive Engineer and presently working as Incharge Executive Engineer, PJP Q.C. Division, Gadwal, and treat the entire period of unauthorized absence as Extra Ordinary Leave and also severely warned not to repeat his behaviour again in future.
5. The Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR ANDHRA PRADESH)

**SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri. Syed Shakeel-ur-Rahman, the then Deputy Executive Engineer and presently working as incharge Executive Engineer, PJP Q.C. Division, Gadwal through Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad.
The Engineer-in-Chief (A.W.), Irrigation and C.A.D. Department, Hyderabad.
Copy to SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER